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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Daisuke Endo, et al.

Serial No.: 10/564,742

Group Art Unit: 1795

Filed: January 17, 2006

Examiner: Jacob B. Marks

For: POSITIVE ACTIVE MATERIAL, PROCESS FOR PRODUCING THE
SAME, AND POSITIVE ELECTRODE FOR LITHIUM SECONDARY
BATTERY AND LITHIUM SECONDARY BATTERY EACH
EMPLOYING THE SAME

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Under the provisions of 37 CFR §1.97 through §1.98 and pursuant to applicants' duty of disclosure under 37 CFR §1.56, applicants respectfully bring the following Japanese Office Action in a counterpart foreign application and listed on the attached form PTO-1449, to the attention of the Examiner in charge of the above-identified application. Please note that all of the references have been cited in a previous Information Disclosure Statement on January 17, 2006.

In compliance with the requirements of 37 CFR §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made, the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

Serial No. 10/564,742

This citation does not constitute an admission that the Japanese Office Action is relevant or material to the claims. It is only cited as constituting related art of which the applicants are aware.

I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

It is respectfully requested that the listed Japanese Office Action be considered by the Examiner and formally made of record in this application.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,



Phillip E. Miller, Esq.
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Date:

10/14/10

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